

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Robert Falotico, et al.

Confirmation No.: 5950

Application No.: 10/829,074

Group Art Unit: 1615

Filing Date: April 21, 2004

Examiner: Sharon E. Kennedy

For: Drug/Drug Delivery Systems for the Prevention and Treatment of Vascular Disease

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL
DOUBLE PATENTING REJECTION OF A PENDING APPLICATION**

The owner, **Cordis Corporation**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending Application Number **10/431,059**, filed **May 7, 2003**, Application No. **10/742,346**, filed **December 19, 2003**, Application No. **10/761,032**, filed **January 20, 2004** and Application Number **10/761,397**, also filed on **January 20, 2004**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on these applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on Application Number **10/431,059**, Application Number **10/742,346**, Application Number

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

☒ The undersigned is an attorney of record.

Date: July 26, 2007

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